

GOVERNMENT OF TELANGANA
ABSTRACT

Tribal Welfare Department – Telangana State – Adilabad District – Issue of Agency Area Local Scheduled Tribe Certificates as per G.O.Ms.No.24., T.W (LTR.1) department dated 12.6.2018 – Rejection of Agency Area Local Scheduled Tribe Certificate by the Collector & District Magistrate, Adilabad vide Proc.No.C3/4/0038/2021, dated 21.01.2022 - Appeal filed by Sri Jadhav Ram Kumar S/o.Ganapathi, R/o.Sungapur Village of Narnoor Mandal, Adilabad District - Appeal Allowed – Orders – Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No.34

Dated:15.10.2022,
Read the following:-

1. G.O.Ms.No.24, T.W (LTR.1) Department, dated 12.06.2018.
2. Proceedings No.C3/4/0038/2021, dated 21.01.2022 O/o. the Collector & District Magistrate, Adilabad District.
3. Appeal petition filed by Sri Jadhav Ram Kumar S/o.Ganapathi, R/o.Sungapur Village of Narnoor Mandal, Adilabad District dated 13.03.2022.
4. Govt.Memo No.534/TW.LTR/2022, dated 12.04.2022.
5. Govt.Notice.No.534/TW.LTR/2022, dated 12.04.2022.
6. From the Project Officer, ITDA, Uttoor, Adilabad District, letter Rc.No.D5/309/2018, dated 22.04.2022.
7. Written submission of the appellant, dated 23.04.2022.

ORDER:-

In the reference 1st read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local Scheduled Tribes living in the Scheduled Areas and procedure to be followed for cancellation of such certificates in case of fake/bogus claims.

2. In the proceedings 2nd read above, the District Collector & Magistrate, Adilabad District basing on the following findings of the Scrutiny Committee headed by the Project Officer, ITDA, Uttoor, has issued orders that Sri Jadhav Ram Kumar S/o.Ganapathi, R/o.Sungapur Village of Narnoor Mandal, Adilabad District, is not a Local Scheduled Tribe as per definition of G.O.Ms.No.24, TW (LTR.1) Dept. dated 12.06.2018.

- i) The candidate has claimed that his grandfather's name is Seva S/o Wachu recorded in Sy.No.21/35 years 1975-76, 1979-80, 1985-86 pahani recorded in an extent of (4.20) acres of Sungapoor village of Narnoor Mandal.
- ii) The candidate has claimed that his Grandmother's Smt.Jadhav Aggi Bai W/o.Seva name is recorded in Sy.No.21/48 to an extent 3.39 acres, in the year 2002-03 R/o Sungapoor village of Narnoor Mandal.
- iii) Telangana issued new PPB No.T13130070031 to Sri Jadhav Ganapathi S/o Shyama R/o Sungapoor village of Narnoor Mandal, Sy.No.21/1/48/A/2 to an extent 1.13 acres and Sy.No.21/1u, to an extent of 2.00 acres.
- iv) Bheempur village elders' statement that his family resided in the year since before 1950 to 1970 year resided in Bheempur village of Narnoor Mandal after they migrated to Sungapoor village in 1970 and resided to till date.
- v) On verification of copy of voter's list for the year 1971 of PS No.247, Sl.No.135, H.No.2-51 candidate grandfather name Sri Jadhav Shyama S/o Wachu R/o Sungapoor village of Narnoor Mandal, 237-Boath AC Adilabad.
- vi) On verification of copy of voter's list for the year 1977 of PS No.208, Sl.No.92, H.No.37/a candidate grandfather name Sri Shyama S/o Wachu R/o Sungapoor village of Narnoor Mandal 241-Boath AC Adilabad.

3. The Scrutiny Committee opined that Sri Jadhav Ramkumar S/o.Ganapathi R/o Sungapoor village of Narnoor (M) has failed to provide any land records owned by his forefathers from 1950 to 1974 as proof of evidence of local residence as per GO Ms.No.24, dated 12.6.2018. A Show Cause Notice was issued to him on 7.1.2022 and accordingly he attended on 11.01.2022 and submitted following documents:

- i) Copy of Pahani for the year 1975-76, 1979-80 and 1985-86 in Sy.No.21/35 situated at Sungapoor village of Narnoor Mandal.

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- ii) Resolution copy of Sarpanch and other village elder dt.8.4.2021.
- iii) Voter list of 1971 and 1977.

On verification of all documents, Sri Jadhav RamKumar S/o Ganapthi has failed to produce sufficient evidences to prove his continuous residence in Agency Area since 26.1.1950 and hence declared him as not a local ST as per definition of G.O.Ms.No.24, dated 12.06.2018.

4. Aggrieved by the above orders of the Collector & District Magistrate, Adilabad District in the reference 3rd read above, the appellant Sri Jadav Ram Kumar S/o.Ganapathi, R/o.Sungapur Village of Narnoor Mandal,Adilabad District has filed the present Appeal before the Government along with the following documents:

- i) Family Tree –Jadhav Vachu is great grandfather of appellant. He has two sons namely Shyama (grandfather) and Seva. Shyama i.e. grandfather of appellant has three sons namely GanapthiRao (father of appellant), Mothiram and Namdev. GanapathiRao has four sons namely 1) Ramkumar (appellant) 2) Raj Kumar 3) Kiran and 4) Sunil.
- ii) Copy of Resolution by GP Bheempur, dt.8.4.2021 – wherein it was resolved that Jadhav Ganapathi S/o Shyama S/o Vachu had resided in Bheempur village from before 1950 to 1970 and in the year 1970 migrated to Sungapur village of Narnoor Mandal for agriculture.
- iii) Copy of Resolution by GP Sungapur, Kolamguda, Narnoor Mandal – wherein it was resolved that the family of Jadhav Vachu migrated to Sungapur village from Bheempur village in 1970 and since then living in Sungapur village. Their names have been enlisted in the Voter lists from 1971.
- iv) Voter List 1971 of 237 Boath Assembly Constituency – Sungapur village – Utnoor Taluq - Sl.Nos.135,136,137 under H.No.2-51 - names of Jadhav Syama S/o Vachu, Lingabai W/o Syama, Tulsibai W/o Vachu were recorded.
- v) Voter List 1977 of 241 Boath Assembly Constituency – Sungapoor village– Utnoor Taluq – Sl.Nos.89 to 93 – show names of Jadhav Seva S/o Vachu, Meerabai W/o Seva, Tudusabai W/o Vachu, Syama S/o Vachu, Agubai W/o Syama.
- vi) Assignment of House Plot No.24 in Sungapur village to Sri Jadhav Syama by Tahsildar, Utnoor.
- vii) Pattedar Pass Book issued by Tahsildar, Narnoor in favour of Jadhav Kalabai W/o.Ganapth R/o Sungapur village for an extent of acs.2.00 in Sy.No.21/1/E.
- viii) Sungapur village Pahanies 1975-76 (Seva S/o Vachu – brother of grandfather Syama), 1979-80 (Seva S/o Vachu – brother of grandfather Syama), 1985-86 (Seva S/o Vachu – brother of grandfather Syama), Village Account No.4 (shows name of Kalibai W/o Ganapath), Village Account No.3 (show names of Kalabai W/o Ganapthi, Ganpathi S/o Syama).
- ix) PESA Gram Sabha Resolution dt.07.02.2022 – wherein it was resolved that Jadhav Syama S/o Vachu has three sons namely Ganapth, Mothiram and Namdev. Jadhav Vachu lived in Bheempur village from 1949-50 to 1969-70 working as a servant in the house of BhanuNaik. They migrated to Sungapur village of Narnoor Mandal in 1969-70.

5. In the reference 4th read above, Government have sent copies of the Appeal Petition to the Collector & District Magistrate, Adilabad District and the Project Officer, ITDA, Utnoor, with a request to furnish connected records along with Para wise remarks to Government.

6. In the reference 5th read above, a Notice has been sent to the Appellant to attend for hearing on 23.04.2022 at 3.00 PM before the Government to prove his claim along with documentary evidences.

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7. In the reference 6th read above, the Project Officer, ITDA, Utnoor has submitted the copies of connected records at the time of hearing on 23.04.2022.

8. In the reference 7th read above, the Appellant has attended the hearing on 23.04.2022 at 3.00 PM and submitted the written submission stating that the Collector & District Magistrate, Adilabad in Procs.No.C3/34/0038/2021, dt.21.02.2022 had taken into consideration only the land records available in the name of his grandfather from 1975 onwards, ignoring other evidences like Voter list for the year 1971 wherein name of his grandfather Sri Jadhav Shyama S/o Wachu was enrolled at Sl.No.135 under H.No.2-51 in PS No.247, Sungapur village, 237 Boath Assembly Constituency, Adilabad District. The voter lists of previous years though requested for supply, the revenue authorities informed him that the old records are not available. Therefore, he submitted village elders statements/GP resolution of Gram Panchayats Bheempur and Sungapur before the Scrutiny Committee which evidently prove that he and his forefathers have been the continuous residents of Bheempur and Sungapur agency villages which resolutions have been taken into consideration as documentary evidences by the Government in many Appeal cases and allowed such Appeals. The Appellant also submitted the Bheempur PESA Gram Sabha Resolution dt.7.2.2022 wherein it was declared that his grandfather lived in Bheempur village from 1949-50 to 1969-70 working as a servant in the house of one Jadhav Bhanu Naik and later migrated to Sungapur village for doing agriculture. Therefore, the Appellant Jadhav Ram kumar prayed the Government to consider his Appeal.

9. Government after careful examination of the matter and taking into consideration of the documentary evidences produced by the Appellant, hereby allow the Appeal filed by Sri Jadhav Ram Kumar S/o Ganapathi declaring him as Agency Area Local ST of Sungapoor village in Narnoor Mandal of Adilabad District duly setting aside orders of the Collector & District Magistrate, Adilabad in Procs.No.C3/4/0038/2021, dated 21.01.2022.

10. The Collector and District Magistrate, Adilabad District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. CHRISTINA Z.CHONGTHU,
SECRETARY TO GOVERNMENT.

To

The Collector and District Magistrate, Adilabad District (By RPAD).

The Project Officer, ITDA, Utnoor, Adilabad District (By RPAD).

Sri Jadhav Ram Kumar S/o.Ganapathi, R/o.Sungapur Village of
Narnoor Mandal, Adilabad District(By RPAD)

Copy to:-

The Secretary, Telangana State Public Service Commission,
Hyderabad (for information & necessary action)

The District Panchayat Officer, Adilabad District.

The District Forest Officer, Adilabad District.

(for information & necessary action).

The Deputy Director (TW), O/o. PO, ITDA Utnoor, Adilabad District.

The PS to Hon'ble Minister for ST Welfare.

The PS to Secretary (TW).

The PS to Special Secretary (TW)

SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER